

HIGH COURT OF JUDICATURE FOR RAJASTHAN
BENCH AT JAIPUR

S.B. Criminal Miscellaneous Bail Application No. 8112/2026
URN: CRLMB / 14832U / 2026

Raju Lal S/o Shri Bhairu Lal, Aged About 28 Years, R/o Village Kuwadiya Tumbiya, Chittorgarh, Rajasthan, Presently Lodged At Central Jail, Ajmer (In Custody Since 12.04.2026).

----Petitioner

Versus

State Of Rajasthan, Through PP

----Respondent

For Petitioner(s)	:	Mr. Kapil Bardhar
For Respondent(s)	:	Mr. Manvendra Singh Shekhawat, PP

JUSTICE ANOOP KUMAR DHAND

Order

06/07/2026

1. The instant bail application under Section 483 BNSS has been filed by the petitioner in connection with the FIR No.49/2026, registered at the Police Station Sri Nagar, District Ajmer wherein he is charged for the offences punishable under Sections 8 and 18 of the NDPS Act.
2. Learned counsel for the petitioner submits that the petitioner has been falsely booked in the instant case. Counsel submits that when the alleged search was conducted, a notice under Section 50(1) of the NDPS Act was given to the petitioner. Counsel further submits that the time mentioned on the aforesaid copy of the notice served on the petitioner was manipulated and corrected by handwriting to reflect 05.15 AM, whereas, the original typed copy of the notice mentioned the time as 05.15 AM without any

handwritten correction in the same. Hence, the entire search/recovery has been vitiated. Counsel further submits that the recovery of 1.015 Kg opium has been shown to be effected, which is less than the commercial quantity for the aforesaid contraband as prescribed under the NDPS Act. Counsel submits that the petitioner is in custody since 12.04.2026 and after investigation, charge-sheet has also been submitted, hence, indulgence of bail be granted to the petitioner.

3. Per contra, learned Public Prosecutor opposed the prayer made by counsel for the petitioner and submitted that the petitioner is a habitual offender, against whom two cases of similar nature are pending, i.e. FIR No.165/2021, registered at the Police Station City Malot, District Muktsar, Punjab and FIR No.84/2024, registered at the Police Station Parsoli, District Chitorgarh. Public Prosecutor further submits that both the aforementioned cases are still lying pending and the petitioner is a habitual offender and he is in habit of committing and repeating the similar kind of offence again and again, hence, the petitioner does not deserve indulgence of bail.

4. Heard and considered the submissions made at the Bar and perused the material available on the record.

5. Considering the arguments put forward by leaned Public Prosecutor and looking to the fact that two similar cases of identical nature under NDPS Act have been lodged against the petitioner, hence, this Court is not inclined to accept the instant bail application submitted by the petitioner.

6. Hence, the present bail application stands dismissed.

7. However, the petitioner would be at liberty to move an application for revival of his prayer for bail after recording statements of seizure officer.

8. The Trial Court is directed to record the statements of seizure officer on priority basis as a first witness.

(ANOOP KUMAR DHAND),J

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